

Secretariat of the General People's Congress
Decree No. (131) of 1376 FDP (2008 AD)
issuing the executive regulation of Law No. (2) of 1375 FDP
organising the People's Oversight and Inspection

The Secretariat of the General People's Congress,

Upon review of:

- Law No. (1) of 1375 FDP on the rules of procedure of the People's Congresses and the People's Committees, and the executive regulations thereof;
- Law No. (15) of 1981 AD on the system of salaries for national employees of the Socialist People's Libyan Arab Jamahiriya;
- Law No. (2) of 1375 FDP on organising the people's inspection and oversight;
- The minutes of the meeting of the Secretariat of the General People's Congress No. (16) of 1376 FDP;

has decreed:

Article (1)

The executive regulation of Law No. (2) of 1375 FDP organising the People's Oversight and Inspection appended to this Law shall enter into force.

Article (2)

Secretariat of the General People's Committee Decree No. (68) of 1430 FBP on the executive regulations of Law No. (11) of 1425 FBP reorganising the People's Oversight and amendments thereto shall be repealed.

Article (3)

This Decree shall come into force on the date of its issue, and shall be published in the Legal Register.

The Secretariat of the General People's Congress – Libya

Issued on 6 Shaaban

Corresponding to 07/08/2008 AD

**Executive Regulation of Law No. (2) of 1375 FDP
organising the People's Oversight and Inspection
appended to Secretariat of the General People's Congress
Decree No. (131) of 1376 FDP (2008 AD)**

Article (1)

Definitions

The definitions contained in Article (1) of Law No. (2) of 1375 FDP organising the People's Oversight and Inspection shall apply to the terms contained in these Regulations. The following expressions shall have the meanings opposite each, unless the context indicates otherwise:

The Law: Law No. (2) of 1375 FDP organising the People's Oversight and Inspection.

Inspector-general: A person who has been granted the capacity of inspector-general under a decree.

Employee subject to Authority oversight: All employees in the bodies subject to the oversight of the People's Oversight and Inspection under Article (4) of the Law.

Part (1)

**Authority Administration, Member and Employee Affairs,
and Authority Accounts**

Chapter (1)

Authority Administration

Article (2)

The Committee shall hold at least one meeting each month at the invitation of the Secretary. The Secretary may call extraordinary meetings of the Committee whenever required.

Article (3)

The procedures of Committee meetings shall be specified in regulations issued thereby setting out how Committee meetings are to be called, their agenda established and the rules and guidelines that govern its sessions, the recording of its minutes and the implementation of its decisions.

Article (4)

The Assistant Secretary shall assist the Secretary in performing his duties. In particular he may undertake the following:

1. Carry out the duties and competencies of the Secretary if the Secretary is absent or unable to perform his job.
2. Any competencies or duties assigned thereto by the Secretary.

Article (5)

Inspectors-general may be assigned to certain sectors under a decree from the Secretariat of the General People's Congress based on a proposal from the Authority's General People's Committee.

Article (6)

Inspectors-general shall, each within their area of competence, inspect the sectors assigned thereto to examine the extent of implementation of general policies and compliance with the legislation in force, submit reports on the results of their works to the Committee Secretary along with their proposals in order for the Secretary to undertake the measures he deems suitable with regard thereto. In doing so, they may monitor the procedures undertaken with regard thereto.

Article (7)

Branches and offices of the Authority shall be established in the districts by a decree from the Committee based on a proposal from the Secretary. The competencies and internal divisions of such branches and offices shall be set out under a decree and the directors thereof shall be named by a decree from the Secretary.

Chapter (2)

(I) System and Discipline of Authority Members and Employees

Article (8)

Without prejudice to the provisions of Articles (9) and (10) of the Law, persons appointed to an Authority position must meet all of the appointment requirements set out in the Civil Service Law.

Article (9)

Without prejudice to the preceding Article, those appointed as technical employees must pass the appointment exam before a committee of Authority members formed for this purpose under a decree from the Secretary. The Authority's various specialisations must be taken into consideration in the formation of such committee and the decree shall specify the manner in which the exam is to be conducted.

Article (10)

Members and employees of the Authority shall be appointed, promoted, granted the set allowances and bonuses, transferred, assigned, and seconded to work outside the Authority under a decree from the Secretary.

Article (11)

A department or office for inspecting the activities of Authority members holding a grade less than ten shall be established. Technical employees nominated for membership shall also be subject to the inspection system. In order to be granted membership, they must obtain a proficiency level not less than average.

Article (12)

A sufficient number of members holding a grade not less than eleven shall be appointed to work in the inspection department or office set out in the preceding Article to perform inspection activities. The various specialisations in force in the Authority must be taken into consideration in their selection.

Article (13)

Inspections of Authority member activities must be conducted at least once a year. The inspection report shall be filed within two months at most from the date the inspection ends and a copy thereof shall be transferred to the member's direct supervisor. Proficiency shall be assessed at one of the following degrees:

1. Proficient 2. Above average 3. Average 4. Below average

Authority members shall be informed of any observations or other papers related to their position or conduct that is placed in their file.

Members may file a grievance against the conclusions reached in the inspection report as set out in the inspection regulations.

The internal inspection report shall be the basis for determining whether or not to promote the member.

The internal inspection regulations shall set out the rules and controls of inspections of Authority members and technical employees nominated for membership. These regulations shall be issued under a decree from the committee.

Article (14)

The Authority's Member and Employee Affairs Committee shall handle the professional matters of Authority members and the others set out in the Law and in these Regulations. This Committee shall have the competencies entrusted to employee affairs committees in the laws and regulations. The Committee shall be formed and its competencies set out under a decree from the Secretary.

Article (15)

Authority workers and their families holding grade one shall be entitled to health and social care. Medical treatment shall be in the health institutions inside the Great Jamahiriya approved by the Authority. The Authority shall bear the treatment costs at these institutions, both public and private, in accordance with the following:

- a. The cost of medications obtained, charges for surgery and laboratory tests and fees for analyses and x-rays.
- b. Accommodation and treatment expenses at these institutions.
- c. The cost of prescription glasses and artificial limbs, including teeth or hearing aids, if recommended by an Authority-approved doctor.

Article (16)

If an Authority worker becomes sick or is injured and cannot be treated in the Great Jamahiriya, they shall be treated abroad in accordance with the legislation governing such.

Article (17)

Any Authority workers injured while performing their job or due to the performance thereof which results in a full or partial disability shall be granted cash compensation assessed on the basis of the percentage of disability determined by the competent medical committees, multiplied by their salary at the time of the injury for three years.

If the injury results in death, compensation in the amount of five years' salary shall be disbursed to the worker's family. Compensation shall be paid in a single payment. In the

application of this Article, the salary shall be determined in accordance with the definition of salary contained in the aforementioned Law No. (15) of 1981 AD.

Article (18)

The Committee may issue organisational regulations on the remunerations that may be granted to Authority members and workers as required by work at the Authority as well as to those whose assistance is sought from outside the Authority to perform certain activities related to the Authority's work and exercise of its competences, provided that these regulations specify these amounts and the rules and procedures for the dispersal thereof, instances where they may be withheld and other matters that might be related thereto.

The regulations governing travel, delegation, and housing allowances for the Secretariat of the General People's Congress and the bodies affiliated thereto and supervised thereby shall apply to Authority workers.

Article (19)

The Authority shall work to improve workers' efficiency through development, training and study in fields of specialisation related to the nature of its work and its oversight activities, with priority given to training and study in Libya. Delegation decisions for training and study shall be issued by the committee in accordance with the legislation governing such. The training and study regulations issued by the Committee shall set out the rules and controls on such.

Article (20)

The Authority shall prepare staffing for its members and employees, setting out therein job titles and grades based on Schedule (1) attached to the aforementioned Law No. (15) of 1981 AD.

Article (21)

The salaries of members and employees working at the Authority shall be set financial amounts in accordance with the schedule attached to these Regulations. Authority workers shall have the right to enjoy any general increase set for State employee salaries.

Article (22)

At the end of their service, Authority workers shall be granted the salary due for their accumulated annual leave, provided that it has been held for them due to circumstances required by work and does not exceed one year of salary.

(II) Investigation of Authority Members and Disciplinary Trial Procedures

Article (23)

Administrative investigations of Authority members shall only be permissible based on a written order from the Secretary specifying the party tasked with the investigation in accordance with Article (19) of the Law. A special schedule shall be prepared for this investigation and the results thereof shall be submitted in a report to the Secretary for action thereon.

Disciplinary cases against Authority members shall be submitted pursuant to a substantiated report from the Secretary and the member shall be assigned to appear before

the disciplinary board by registered letter. The report shall include a full statement of the charge and evidence, and the member shall be deemed to be on permanent leave at full salary until the conclusion of their disciplinary trial.

Article (24)

The Board set out in Article (22) of the Law shall hold its meetings at the Authority's headquarters. Committee meetings shall only be valid if attended by all members and its decisions shall be issued by majority opinion.

Article (25)

Disciplinary trial sessions shall be confidential. Members shall attend and may authorize an attorney to defend them. The Disciplinary Board may request they appear in person. If absent, the decision shall be issued after confirmation that the summons to appear was delivered.

The decision must include the grounds thereof and shall be served to the member by registered letter.

Article (26)

Disciplinary cases shall be terminated when the member's professional relationship with the Authority comes to an end. Disciplinary cases shall have no effect on criminal or civil cases arising from the same incident.

Chapter (3)

Budget, Accounts and Contracts

Article (27)

Based on a proposal from its Secretary, the Committee shall prepare an estimated draft annual budget for the Authority three months prior to the beginning of the new fiscal year in an independent section of the State's general budget.

The draft budget shall be prepared in the format of the State's general budget and the estimated possible increases for each year.

Financial authorisations shall be issued after the Budget Law is issued by the Secretary.

Article (28)

Disbursements shall be made by the Authority's Financial Affairs Department for all expenditure categories, within the limits of the approved budget and in accordance with the rules and controls set out in the financial legislation in force.

Article (29)

The Authority shall have one or more accounts opened at banks operating in the Great Jamahiriya.

Article (30)

All Authority expenses shall be subject to prior internal review to verify their accuracy and proper implementation of the financial legislation and regulations in force at the Authority. Petty cash accounts and stores shall also be subject to internal review. Petty cash and imprest accounts must be closed prior to the end of the fiscal year.

Article (31)

Public construction and works contracts and supply contracts shall be made through public tenders. Contracts may be made through selective tender or negotiated tender in the following cases:

1. Urgent projects.
2. Provision of technical services such as the selection of consulting firms and experts, and firms providing supervision, inspection, and technical assistance to operate projects.
3. Works and procurement where there is a monopoly in terms of the industry, handling, and the like, or such is unavailable except through certain persons or companies.
4. Procurement and works done through public companies or institutions.
5. In cases where the private nature of the contract or circumstances of its execution do not permit holding a public tender.

Article (32)

The Secretary shall hold competence to issue the permit to commence contracting procedures by public, selective or negotiated tender as well as to approve the results of these procedures.

Article (33)

Contracts may be made through direct assignment in the following cases:

1. Cases in which emergency circumstances or urgent necessity require such.
2. Contracting with public companies or institutions or with foreign government bodies in implementation of agreements between them and the Great Jamahiriya.
3. Cases in which there are no applicants for a public, selective or negotiated tender.
4. Purchase of spare parts or materials required to ensure continued work.
5. Priced materials, materials under a monopoly or that are available only from a specific person or body or works where it is established that there is one body that can perform such.
6. Ordinary supplies and works and transportation.
7. Procurement governed by open purchase orders or regional purchase agreements and the like. The procurement guide shall set out the contracting conditions for direct assignment.

In all cases, the direct assignment order shall be issued and approved by the Secretary or person tasked thereby.

Article (34)

The Authority may enter into contracts to rent machinery and equipment from third parties when required for its work, on the condition that it does not have similar unutilised items. Prior to such, an economic study must be done to compare the costs of purchasing the asset with the rental charges in order to select the better of the two.

Article (35)

A standing committee on tenders shall be established at the Authority, whose formation and rules of procedure shall be set out in a decree issued by the Secretary. This committee

shall hold competence to initiate the procedures of public, selective and negotiated tenders, auctions, examine bids and make decisions thereon.

Article (36)

Contracts may only be entered into under terms that have previously undergone financial, legal and technical review by the competent technical department at the Authority. No substantial amendments may be made to the contract terms after the contract is made until an opinion is obtained from this department.

Article (37)

The Authority's accounts shall be audited within the four-month period following the end of the fiscal year, by a committee formed by a decree from the Secretariat of the General People's Congress based on a submission from the Authority's General People's Committee. The Authority's final account shall be approved by the Secretariat of the General People's Congress.

Part (2)

Competencies, Powers, and Investigations

Chapter (1)

Competencies and Powers

Article (38)

The Authority shall exercise its competencies in accordance with the provisions set out in the Law and these Regulations.

Article (39)

The Secretary may assign certain of his competencies to any Committee members, inspector-generals, general department directors or branch directors whenever required. For general department directors and branch directors, the assignment shall be within the scope of the competencies exercised by the department or branch.

Article (40)

Authority members shall be solely subordinate to their superiors in order of their grade or position, then to the Secretary, and some shall represent others, each according to their competencies.

Article (41)

Each department shall prepare a work manual, according to its competencies, that includes the work program and procedural steps in light of which the competent department performs its duties and the competencies entrusted thereto. The manual shall be approved by the Committee.

Article (42)

In exercising the competencies set out under the Law, the Authority may use all means necessary to investigate and examine crimes and deficiencies at all bodies subject to its oversight.

Article (43)

Authority members or anyone holding the capacity of a judicial officer at the Authority shall, in exercising the competencies set out in the Law, inspect information on bodies subject to oversight from all the different sources they deem fit for such, and they shall work to analyse it and confirm the extent of its veracity. In doing such, they may go to the body's premises, conduct the necessary inspections, assess the work flow therein and examine the documents and files they deem necessary.

They may also hear or record the statements of anyone they deem necessary for such, either on the body's premises or at the Authority, as the circumstances require.

Article (44)

If, while performing the tasks assigned thereto under the Law, an Authority member or anyone holding the capacity of a judicial officer at the Authority discovers failures or shortcomings at the body undergoing oversight that are the result of a violation or crime, they must immediately record this violation or crime and conduct the necessary investigations to determine the perpetrator or person responsible. Such shall be included in their report prepared for this purpose, and they must state therein the type of violation or crime, the name(s) of the perpetrator(s), and the conclusions of their investigation in this regard.

Article (45)

If they find that there is justification to seize one of the accounts of the body undergoing oversight pursuant to Article (43) of the Law, Authority members may write such in a report prepared for this purpose stating therein the account number and type, name of the depositor bank and the justifications for the seizure, and submit such to the Secretary through the director of the competent department to which the member is affiliated in order for him to undertake the necessary measures with regard thereto.

Article (46)

Authority members or anyone holding the capacity of a judicial officer at the Authority shall investigate the financial performance of the body undergoing oversight to confirm the extent to which it adheres to the financial laws and regulations in force and that its expenditure is in line with the provisions of the Budget Law, without violating disbursement categories or exceeding the set limits thereof.

They shall also confirm that appointments and promotions at the body undergoing oversight are made in light of the approved budgets and in accordance with the staffing approved therefor.

Article (47)

During their investigation of the body undergoing oversight, authority members or anyone holding the capacity of a judicial officer at the Authority shall confirm that the performance of this body is in accordance with the objectives stated in its establishing document and that those in charge of and working in it are performing their activities in accordance with the legislation governing such body. They shall state such in the report that they prepare for this purpose and shall record therein any deviation from its objectives or the laws governing the body undergoing oversight.

Article (48)

If during their performance of the duties entrusted thereto under the Law or through any information they receive, an Authority member or anyone holding the capacity of a judicial officer at the Authority finds that there are suspicions surrounding one of the employees subject to Authority oversight indicating that they engage in conduct harmful to the reputation and dignity of public office, they shall themselves investigate the truth of such information. In doing such, they may notify the director of the competent department at the Authority to oblige the concerned party to present a financial disclosure in accordance with Law No. (10) of 1423 FBP on cleansing. They may also request placing the person under individual monitoring if they find there is justification for such pursuant to Article (42) of the Law. In this case, the request for permission for such monitoring shall include the name of the person to be placed under monitoring, their position, the body to which they are affiliated and the objective of the monitoring.

Individual monitoring shall take place in accordance with Article (42) of the Law in complete confidentiality. The assistance of security officers may be sought in conducting it and a report must be drawn up containing what took place in each case and the conclusions reached from such monitoring.

In all cases, the investigation and seizure documents related to the monitoring shall be confidential.

Article (49)

If an employee subject to Authority oversight fails to provide an Authority member or anyone holding the capacity of a judicial officer at the Authority with the documents or data requested thereof, the Authority member or judicial officer shall immediately record such in a report prepared for this purpose for the Secretary through the director of the department to which they are affiliated in order to adopt the necessary procedures.

Article (50)

In the event of a request to suspend any worker from their job at a body subject to oversight in application of Article (44) of the Law, the Authority member shall prepare a report for the director of the competent department submitted to the Secretary stating therein the grounds for the suspension request in order for the necessary decree to be issued for the suspension.

Whenever it is found that the employee's suspension is no longer needed, the member shall prepare a report to lift the suspension.

Article (51)

The Authority shall monitor performance rates at the bodies subject to its oversight to ensure they achieve their intended goals in the best manner and at the lowest cost and that the workers therein perform their activities in accordance with the Law.

It shall also monitor production movement at the production units subject to its oversight to assess the extent to which they achieve their stated targets.

Article (52)

During its prior review of contracts as set out in Article (34) of the Law, the Authority shall undertake the following in particular:

1. Confirm compliance with the legislation and regulations on contracting in force at the time of contracting.
2. Confirm that there are no sufficient domestic substitutes for materials imported from abroad and that the materials are in accordance with the approved budgets.
3. Confirm that contract prices are appropriate, in light of the studies on global prices conducted by the competent bodies.

Article (53)

Prior to approving the disbursement of any financial amount resulting from any contract subject to its prior oversight, the Authority shall examine and review the documents related to the disbursement and confirm the compliance of each payment with the contract terms and provisions, the existence of sufficient financial allocations for the disbursement, and compliance with the rules on implementing the budget and other documents required to approve the payment disbursement. The bodies whose contracts are subject to prior approval shall provide the Authority with all such documents, and it shall check that the amount disbursed is proportionate to the percentage of the works completed at the time of the disbursement. Upon disbursement, verification shall be made of sound procedures and correct documentation related to contracts each having a value of over one hundred thousand LYD and not more than five hundred thousand LYD.

Article (54)

Bodies implementing projects subject to oversight shall provide the competent department at the Authority with periodic follow-up reports on these projects including information related to the progress and stages of implementation and the completed portions thereof. The competent department at the Authority shall confirm the veracity of these reports and that implementation is progressing in accordance with the set rules, procedures and timetable and that the bodies responsible for monitoring and review of the stages of implementation are performing their duties.

The competent department at the Authority must also verify that the operation and maintenance of completed projects is done in accordance with the technical rules and programs and that these projects achieve the objectives for which they were established.

Article (55)

If, during its monitoring of the implementation of projects subject to Authority oversight in accordance with the preceding Article, the competent department at the Authority finds any shortcomings, inaction or deviation in the implementation process, it shall prepare a report on such for the secretary including the shortcomings, inaction or deviation in implementation in order for him to adopt the measures necessary to refer those responsible to investigation.

If it finds that there are obstacles that are impossible to address, it shall notify the body with which the project undergoing monitoring is affiliated of such.

Article (56)

The committee shall issue the regulations and decrees necessary for the Authority to exercise its competencies in the monitoring and oversight of foodstuffs and medicines in accordance with Article (33) of the Law.

Part (2)

Competencies, Powers, and Investigations

Chapter (2)

Investigations

Article (57)

The department holding competence to conduct investigations shall investigate any violations or crimes attributed to employees working in bodies subject to Authority oversight or others that are referred thereto by the Secretary or person tasked thereby for such under the Law.

Article (58)

Investigations of financial violations attributed to employees working in bodies subject to Authority oversight shall be by an investigating member.
These violations shall be investigated in accordance with the rules and procedures provided in the Civil Service Law and these Regulations.

Article (59)

Investigating members at the Authority may not be dismissed.

Article (60)

Investigations shall be conducted at Authority headquarters. Investigating members may travel to any other location as required by the investigation.

Article (61)

The investigation shall be in writing and shall be recorded in one or more serial reports each opening by stating the date, location and time thereof, and each page shall be signed by the investigating member. The investigating member shall record all actions taken, the accused's name, surname, position, grade and domicile and the questions and answers. The accused shall be asked to sign each page of their statements in the report.

Article (62)

Investigation reports shall be written by a clerk who shall sign each page with the investigating member and perform their annotations and approvals when going outside the Authority headquarters for the investigation. When required, a clerk may be appointed from the body to which the investigating member went. Such clerk shall swear a legal oath prior to the start of the investigation.

Article (63)

The investigating member may summon accused persons working at the bodies subject to Authority oversight and others for questioning on the matters attributed thereto. Such shall take place under a summons to appear served either directly, through a judicial officer at the Authority or a security officer. The summons to appear must include the accused's name, surname, profession, domicile, the charge attributed thereto, the date of the order, the date and location to appear and the member's signature with the Authority's stamp.

When the accused appears, the investigating member shall verify their identity, inform them of the charge attributed thereto and their statements in the report.

Article (64)

If the accused does not appear after being summoned without an acceptable excuse, the investigating member may issue an order for their arrest. Arrest orders shall be served by a judicial officer at the Authority or a security officer. This order must include the accused's name, surname, position, domicile, the charge attributed thereto, the order date and the member's signature with the Authority's stamp.

The order shall expire six months from its issue date unless the member renews it for another period.

Article (65)

The investigation shall deal with all facts referred to the member. If during the investigation the member discovers violations or crimes not related to the primary incident, the member shall record them and refer them to the Secretary or person tasked thereby through the director of the department holding competence in the investigation in order to give it a case number.

Article (66)

Investigating members may request documents, papers and files from the competent bodies and take photographs thereof whenever they deem such necessary to the investigation. They may also access any data they deem necessary to the investigation. The bodies subject to Authority oversight shall enable investigating members to do such even if the documents and data is confidential.

Article (67)

If required by the investigation, investigating members may assign the competent bodies to form committees to examine the activities or inventory materials entrusted to certain workers or complete shortcomings in the work of committees previously formed for such purposes.

Article (68)

If required by the investigation, investigating members may seek the assistance of experts in technical matters from within or outside of the Authority. The provisions set out on judicial experts in the legislation in force shall apply with regard to experts from outside the Authority.

Article (69)

If they find that the investigation requires suspending the accused from their job, the investigating member shall prepare a memorandum on such stating therein the subject of the investigation and the grounds for the suspension request, which shall be submitted to the Secretary for issuance of the suspension decision. The suspension shall not exceed three months, except pursuant to a decision from the competent disciplinary authority.

Article (70)

Investigating members must complete their investigation of anyone who has been suspended from work during the set suspension period. If there are strong grounds for extending the suspension period, a report shall be prepared on such stating the incidents attributed to the suspended individual and the grounds for extending the suspension. This report shall be submitted to the director of the department holding competence in the investigation, and the department director shall make a decision thereon prior to the end of the set suspension period. If the director approves the extension, the member's report accompanied by the director's opinion shall be referred to the competent disciplinary authority to extend the suspension.

Article (71)

In all cases, investigating members may search the work and other sites of persons they are investigating, whenever required by the investigation.

Article (72)

If there are strong grounds for searching the employee to whom a violation has been attributed, the director of the department holding competence in the investigation shall submit the matter in a report to the Secretary or person tasked thereby to authorise the search. When required, the investigating member may be informed of the search authorisation by any means, provided the written authorisation is attached to the report. Investigating members shall conduct searches in the presence of the person being searched or the representative thereof whenever possible. If such is not feasible, the search must take place in the presence of two witnesses of legal age from their family, those living with them, or neighbours; this order shall be observed as much as possible and written in the report. If a woman is to be searched, the search must be done by a female assigned by the investigating member for such.

Article (73)

If the search results in the discovery of documents or items important to the investigation, the investigating member shall, after writing a list and description thereof in the report, place them in a closed exhibit, stamp it with the Authority stamp, and write the report date, number, and investigation subject thereon.

If, while conducting the search, the investigating member comes across items whose possession is considered a crime under the Penal Code or any other law, the investigating member shall seize the item, place it in an exhibit, write a report thereon and refer it with the exhibit immediately to the Secretary to adopt the measures he deems necessary.

Article (74)

In the investigation report, investigating members shall record the search procedures, the presence or absence of the defendant during the search, the results thereof, and a detailed list of all documents and the like related to the investigation that they found.

Article (75)

Investigating members may summon witnesses who work at the bodies subject to Authority oversight and others and hear their statements after placing them under oath. Summonses to appear to give testimony must include the witness' name, surname, position, domicile, the subject of the investigation, date of the order, date to appear to give testimony, the investigating member's signature and the Authority stamp.

Summonses to appear and arrest orders to give testimony shall be served by a judicial officer at the Authority or a security officer. These orders may not be enforced six months after their issue date unless they are approved by the investigating member for another period.

Article (76)

Anyone summoned to give testimony must appear on the dates stated in the summons. If they fail to appear or refuse to give testimony, the investigating member shall record such in the report and may assign a judicial officer at the Authority or a security officer to present a person failing to appear voluntarily.

If a witness is ill or unable to appear, their testimony may be heard in the place where they are located. If an investigating member goes to hear their testimony and finds the excuse to be invalid, the witness shall be brought to appear on the date set for such by a judicial officer or security officer. The provisions provided in the Code of Criminal Procedure related to the failure to testify shall apply thereto.

Article (77)

The entry of financial or administrative violations shall be based on the articles of laws, regulations and decrees whose provisions were violated, and the expression contained therein shall be used when stating the characterization, when possible.

Article (78)

If the investigation results in a criminal offence, the investigating member shall record such in the investigation report stating a full description of this incident and shall conduct the investigation of such in accordance with Article (54) of the Law.

All provisions and rules set out in the Code of Criminal Procedure shall apply to the investigation of criminal cases resulting from the investigation, the initiation thereof before the competent courts or indictment chamber and the appeal of orders and rulings issued thereby.

Article (79)

If an investigating member finds that there are grounds to appeal the orders or rulings issued on criminal articles they shall prepare a report on such, stating therein the grounds for the appeal and shall submit it, accompanied by the opinion of the director of the department holding competence in the investigation, to the Secretary or person tasked thereby to adopt procedures with regard thereto in accordance with Article (54) Paragraph (5) of the Law.

If approved by the Secretary or the person tasked thereby, the investigating member shall undertake all the procedures necessary for such. The investigating member shall be notified of the approval by any means of notification, provided that such is later attached to the case file submitted before the competent court.

The Secretariat of the General People's Congress – Libya